

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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KODY CREE PATTEN,

Petitioner,

v.

STATE OF NEVADA, *et al.*,

Respondents.

Case No. 3:22-cv-00310-RCJ-CLB

Order Dismissing Petition for Failure to
Obey Order to Pay Filing Fee

The court denied *pro se* 28 U.S.C. § 2254 habeas petitioner Kody Cree Patten's application to proceed *in forma pauperis* and directed him to pay the \$5.00 filing fee within thirty days. (ECF No. 4.) That order was served on Patten at his address of record. More than the allotted time has passed, and Patten has not paid the fee or contacted the court in any manner. He was expressly advised that failure to comply with the court's order would result in the dismissal of the petition. Accordingly, the petition is dismissed without prejudice for failure to comply with this court's order to pay the filing fee.

IT IS THEREFORE ORDERED that the Clerk of Court detach and file the petition (ECF No. 1-1).

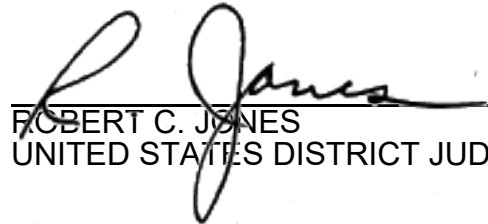
IT IS FURTHER ORDERED that this action is dismissed without prejudice as set forth in this order.

IT IS FURTHER ORDERED that petitioner's motion for appointment of counsel (ECF No. 2) is **DENIED** as moot.

1 **IT IS FURTHER ORDERED** that a certificate of appealability is denied.

2 **IT IS FURTHER ORDERED** that the Clerk enter judgment accordingly and close
3 this case.
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5 DATED: 20 September 2022.

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9 ROBERT C. JONES
10 UNITED STATES DISTRICT JUDGE
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